

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LENELLE GRAY,	:	CIVIL ACTION NO. 1:CV-10-1871
	:	
Plaintiff	:	(Chief Judge Kane)
	:	(Magistrate Judge Mannion)
V.	:	
WARDEN B.A. BLEDSOE,	:	
	:	
Defendant	:	

ORDER

Before the court in the captioned action is a February 3, 2011 report and recommendation of Magistrate Judge Mannion. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Mannion. (Doc. No. 8.)
- 2) The Petition for Writ of Habeas Corpus (Doc. No. 1) is **DISMISSED FOR LACK OF JURISDICTION**. See Gray v. United States, 385 F. App'x 160, 163 (3d Cir. 2010) (summarily affirming this Court's denial of Petitioner's attempt to proceed under 28 U.S.C. § 2241 and noting that because Petitioner "has already filed an unsuccessful § 2255 motion, his claims should have been brought in an application to file [sic] a second or successive motion under 28 U.S.C. §§ 2255(h); 2244" before the Sixth Circuit Court of Appeals).
- 3) The Clerk of Court shall close the file. No certificate of appealability shall issue.

S/ Yvette Kane
YVETTE KANE, Chief Judge
United States District Court
Middle District of Pennsylvania

Dated: February 24, 2011